

Appl. No. : 10/695,412
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REMARKS

The Office Action was based on Claims 1-30. This response amends Claims 1, 6, 11, 19, and 25. Claim 31 is new. Thus, after entry of this response, Claims 1-31 are pending and are presented for further consideration.

Response to Rejection of Claims 1-30 Under 35 U.S.C. § 103(a)

Claims 1, 4-6, 9-13, 16-20, 23-26, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,679,938 to Templeton et al. ("Templeton") in view of U.S. Patent Publication 2004/0155101 by Royer et al. ("Royer").

Claim 1

Claim 1 recites (emphasis added):

A system for electronically processing a check transaction involving a merchant, comprising:

a point-of-sale device that receives user input as to a check transaction type and electronically converts a check, wherein the point-of-sale device is capable of generating a receipt;

a check processing service linked to the point-of-sale device to receive information about the converted check from the point-of-sale device and perform an authorization process on the check transaction such that the check processing service notifies the merchant via the point-of-sale device of an authorize or decline decision of the authorization process;

wherein the point-of-sale device automatically determines, based on the check transaction type user input, whether to generate a receipt, wherein the point-of sale device generates a receipt if the check transaction is authorized and involves a face-to-face-type transaction, **and wherein the point-of-sale device does not generate a receipt if the check transaction involves an accounts receivable-type check transaction even if the accounts receivable-type check transaction is authorized by the check processing service.**

Applicant submits that Claim 1 is patentably distinguished from the combination of Templeton and Royer because the combination fails to teach or suggest every limitation of Claim 1. For example, the combination of Templeton and Royer fails to teach or suggest "a point-of-sale device that receives user input as to a check transaction type . . . wherein the point-of-sale device automatically determines, based on the check transaction type user input, whether to generate a receipt . . . and wherein the point-of-sale device does not generate a receipt if the

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check transaction involves an accounts receivable-type check transaction even if the accounts receivable-type check transaction is authorized by the check processing service.”

While Royer may disclose a POS terminal capable of optionally generating a receipt, Royer does not disclose that the POS terminal automatically determines, based on check transaction type user input, whether to generate a receipt. Instead, as stated at p. 6 of the Office Action, Royer discloses giving a user the option of whether or not to print a receipt. The Office Action further states that even if the POS terminal did not give the user the option of printing a receipt, the user could choose to remove the paper from a receipt printer to prevent a receipt from being printed. However, each of these alternatives relies on the user to make the choice of whether to print a receipt.

Instead, amended Claim 1 recites “a point-of-sale device that receives **user input as to a check transaction type . . . wherein the point-of-sale device automatically determines, based on the check transaction type user input, whether to generate a receipt . . .**” Thus, in some embodiments, the invention recited in Claim 1 does not rely upon a user to determine when it is and is not appropriate to generate a receipt. Instead, the point-of-sale device automatically makes this determination for the user. This can be advantageous in situations where the user of the point-of-sale device (e.g., a clerk) is inexperienced in handling various types of check transactions. Moreover, a merchant could use such a point-of-sale device to automatically carry out rules of procedure regarding the generation of receipts for different types of check transactions without depending upon a clerk to properly adhere to such rules.

Claims 6, 11, 19, and 25

Claims 6, 11, 19, and 25 are patentably distinguished from Templeton for reasons similar to those set forth with respect to Claim 1, and because of the additional features recited therein.

Claims 4, 5, 9, 10, 12, 13, 16-18, 20, 23, 24, 26, and 30

Claims 4, 5, 9, 10, 12, 13, 16-18, 20, 23, 24, 26, and 30 each depend from an independent claim and are patentably distinguished from the combination of Templeton and Royer for at least the same reasons set forth with respect to the corresponding independent claim, and because of the additional features recited therein.

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Claims 2, 3, 7, 8, 14, 15, 21, 22, and 27-29

Claims 2, 3, 7, 8, 14, 15, 21, 22, and 27-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Templeton in view of Royer, and further in view of U.S. Patent No. 4,832,464 to Houvener et al. ("Houvener"). Each of Claims 2, 3, 7, 8, 14, 15, 21, 22, and 27-29 depends from an independent claim and is patentably distinguished from the combination of Templeton, Royer, and Houvener for at least the same reasons set forth with respect to the corresponding independent claim, and because of the additional features recited therein.

New Claims

Claim 31 has been added. Written support for Claim 31 can be found throughout the specification, including FIGS. 14-16. Claim 31 depends from Claim 1 and is patentable for at least the reasons set forth with respect to Claim 1, and for the additional features recited therein.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits that Claims 1-31 are in condition for allowance, and such action is earnestly solicited. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: John R. King
John R. King
Registration No. 34,362
Attorney of Record
Customer No. 20,995
(949) 760-0404